

JP:MKM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M12-0356

- - - - -X

UNITED STATES OF AMERICA

- against -

JUMA KOMBO MAKAME,

Defendant.

PRE-ARRAIGNMENT
C O M P L A I N T

21 U.S.C. §§ 952(a)
and 960)

- - - - -X
EASTERN DISTRICT OF NEW YORK, SS:

PETER MAY, being duly sworn, deposes and states that he is a Special Agent with the Drug Enforcement Administration ("DEA"), duly appointed according to law and acting as such.

Upon information and belief, on or about April 7, 2012, within the Eastern District of New York and elsewhere, defendant JUMA KOMBO MAKAME did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:¹

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

1. On or about April 7, 2012, the defendant JUMA KOMBO MAKAME arrived at John F. Kennedy International Airport ("JFK") in Queens, New York, aboard KLM flight No. 641 from Amsterdam, Holland after traveling to Amsterdam aboard KLM flight No. 567 from Dar Es Salaam, Tanzania.

2. The defendant JUMA KOMBO MAKAME was selected by Customs and Border Protection ("CBP") Inspectors for an examination. During the examination, the defendant was extremely nervous and avoided eye contact. When asked about the purpose of his trip, the defendant stated that he was coming to the United States for a vacation and would be staying with his friend "Omar." However, the defendant had a reservation for a hotel in the Bronx and could not provide any contact information for "Omar."

3. The defendant JUMA KOMBO MAKAME's baggage was searched and he was subjected to a pat down search. The results of both searches were negative. However, the defendant continued to appear very nervous. Thereafter, the defendant JUMA KOMBO MAKAME voluntarily stated, in sum and substance and in part, that he had ingested narcotics. The defendant was then presented with an x-ray consent form, which he read, understood and voluntarily signed.

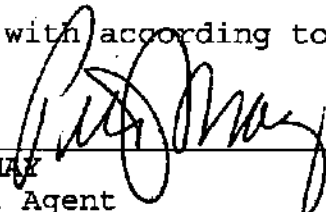
4. While waiting for the doctor to take the x-ray, the defendant JUMA KOMBO MAKAME requested to use the bathroom and passed 22 pellets, one of which was probed to reveal a white

powdery substance that field-tested positive for the presence of heroin.

5. An x-ray of the defendant JUMA KOMBO MAKAME was then taken at the JFK medical facility. The x-ray revealed the presence of additional foreign bodies. The defendant JUMA KOMBO MAKAME subsequently passed 53 pellets additional pellets, for a total number of 75 pellets passed thus far.

6. The defendant JUMA KOMBO MAKAME will be detained at the JFK medical facility until such time as he has passed all of the pellets currently in his intestinal tract.

WHEREFORE, your deponent respectfully requests that defendant JUMA KOMBO MAKAME be dealt with according to law.



PETER MAY
Special Agent
Drug Enforcement Administration

Sworn to before me this
9th/day of April, 2012

HONORABLE VIKTOR POHORELSKY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK